



COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

## RECLAMATION PLAN REQUIRED PURSUANT TO CALIFORNIA SURFACE MINING AND RECLAMATION ACT OF 1975

The following are minimum acceptable practices to be followed in surface mining operations pursuant to Section 3504 of the State Policy for Surface Mining and Reclamation Practice:

### 1. **Soil Erosion Control.**

- a. The removal of vegetation and overburden in advance of surface mining shall be kept to the minimum.
- b. Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.
- c. Erosion control facilities such as retarding basins, settling ponds, ditches, streambank stabilization and diking shall be constructed and maintained where necessary to control erosion.

### 2. **Water Quality and Watershed Control.**

- a. Compliance with U.S. Environmental Protection Agency, Regional Water Quality Control Boards, State Department of Fish and Game, and certain other agency's regulations and requirements.
- b. Settling ponds or basins shall be constructed downstream from areas of potential erosion at operations where they will provide a significant benefit to water quality.
- c. Temporary stream and watershed diversion shall be restored in final reclamation wherever practical.
- d. At sites where groundwater recharge is a significant consideration, operations shall be conducted to substantially prevent siltation of recharge areas.

### 3. **Flood Control.** Compliance with the requirements of other agencies in addition to the Lead Agency, such as: the State Reclamation Board, local flood control districts, the U.S. Corps of Engineers and the State Department of Fish and Game, when operations occur in near streams and other drainage channels.

### 4. **Protection of Fish and Wildlife Habitat.** All reasonable and practicable measures should be taken to protect the habitat of fish and wildlife.

### 5. **Disposal of Mine Waste Rock and Overburden.** Permanent piles or dumps of mine waste rocks and overburden shall be stable and shall not restrict the natural drainage without suitable provisions for diversion. Stable slopes at angle of repose shall be permitted as a final slope. Old equipment and other similar inert mining wastes shall be removed and buried. Toxic material shall be removed or protected to reduce leaching to available levels. Under some conditions, covering part or all of the mine waste piles with overburden, fine waste and soil may be desirable. Where reasonable choices exist, dumps shall be located in a least visible location. "Controlled placement" of this material with relationship to topography, hydrology and end use features can greatly enhance the results of a reclamation program.

6. **Soil Salvage.** The salvage of existing topsoils is an important factor in revegetation and thus is a crucial part of the reclamation process. A soil survey may be necessary to establish soil type, depth and soil chemistry. The complexity of such a survey will be dependent on-site geology, vegetation and area extent, as well as on post-mining uses. In areas of good soil development, topsoil is a valuable asset and should be segregated for further use in revegetation. Desert district and other areas of limited soil development may require special study to determine the benefits and practicality of soil salvage. In some areas, because of poor or very limited soil conditions, it may be impractical or impossible to salvage soil.
7. **Final slope Gradient.** The designated steepness and proposed treatment of the mined lands' final slopes shall take into consideration the physical properties of the slope material, its probable maximum water content, landscaping requirements and other factors. The maximum stable slope angle might range from 90° in a sound limestone, igneous rock or similar hardrock to less than 20° in highly expansive clay. In all cases, Reclamation Plans shall specify slope angles flatter than the critical gradient for type of material involved. Whenever final slopes approach the critical gradient for the type of material involved, regulatory agencies shall require an engineering analysis of the slope stability. Special emphasis on a slope stability and design will be necessary when public safety or adjacent property may be affected.
8. **Backfilling and Grading.** Most backfilling and grading is undertaken to store mine waste rock and overburden, to produce designed slopes, to establish drainage or to raise the ground surface above the local water table. Any area mined to produce additional materials for backfilling and grading must also be included in the Reclamation Plan.

Settlement of filled areas must be considered in all Reclamation Plans. Where probable ultimate site uses include roads, building sites, or other improvements sensitive to settlement, the Reclamation Plans shall include compaction of the fill materials in conformance with good engineering practice to avoid excessive settlement. Fill placement shall conform to local grading ordinances or, in their absence, the Uniform Building Code.

9. **Erosion and Drainage.** Grading and revegetation shall be designed to both prevent excessive erosion and to convey surface runoff to natural drainage courses or interior basins designed for water storage. Basins that will store water during periods of surface runoff shall be designed to prevent downward erosion of spillways when these basins have outlet to lower ground.
10. **Resoiling.** When the Reclamation Plan calls for resoiling, coarse hard mine waste shall be leveled and covered with a layer of finer material or weathered waste. A soil layer shall then be placed on this prepared surface. Surface mines that did not salvage soil during their initial operation shall attempt, where feasible, to upgrade remaining native materials. The use of soil conditioners, mulches or imported topsoil shall be considered where revegetation is part of the Reclamation Plan and where such measures appear necessary. It is not justified, however, to denude adjacent areas of their soil, for any such denuded areas must in turn be reclaimed.
11. **Revegetation.** Before final revegetation is undertaken, the operator shall make use of the available research addressing revegetation methods and the selection of species having good survival characteristics, for the topography, resoiling characteristics and the climate of the area. Native species are recommended wherever practicable. Reclamation Plans may also include development of screens and roadside plantings at mines currently in operation, where such screens and plantings are practical and desirable.

## **AGREEMENT REQUIRED PURSUANT TO CALIFORNIA SURFACE MINING AND RECLAMATION ACT OF 1975**

No surface mining shall be conducted pursuant to a Major Use Permit or pursuant to vested nonconforming rights unless prior to the commencement of grading an agreement has been entered into allowing the County enter the property to correct any landscaping or irrigation system deficiencies, any unsafe condition, or breach of provisions of the Major Use Permit and/or Reclamation Plan. The agreement shall specifically authorize the County or any person authorized by it to enter the property at reasonable times for inspection or for the purpose of correcting any unsafe conditions resulting from the breach of any provision of the Major Use Permit or Reclamation Plan. Said agreement shall be executed by the permittee, the owner of the property and by holders, except government entities, of any lien upon the property which could ripen into a fee. The permittee shall provide acceptable evidence of title showing all existing legal and equitable interests in the property. The Director of Planning and Land Use is hereby authorized to execute and accept the agreement on behalf of the County of San Diego. The agreement shall be recorded prior to the commencement of grading pursuant to a Special Use Permit or Reclamation Plan.

If directed by the Planning Commission or the Board of Supervisors upon the recommendation of the Director of Planning and Land Use, the agreement required by this section shall be secured by security in an amount set by the Planning Commission or Board of Supervisors to assure compliance with the agreement. Such security shall be posted with the Director of Planning and Land Use and may be (a) a bond or bonds by one or more duly authorized corporate securities, or (b) a deposit of money or negotiable bonds of the kind approved for securing deposits of public monies, or (c) an instrument of credit from one or more financial institutions subject to regulation by the State or Federal Government and pledging that the funds necessary to carry out the plan are on deposit and guaranteed for payment, or (d) such other security at the option of the mining operator as is acceptable to the Director of Planning and Land Use and the County Counsel.

Said security instrument shall provide that in the event suit is brought by the County and judgment recovered, the surety shall pay in addition to the above specified sum all costs incurred by the County in such suit including a reasonable attorney's fee to be fixed by the court.

The security shall be in a form approved by the County Counsel and in an amount equal to 100 percent of the estimated cost of the work as determined by the Director of Planning and Land Use as necessary to restore the property to a condition which will not constitute a danger to the public health or safety and which will substantially conform to the approved Reclamation Plan, but not to exceed \$20,000; provided, however, that in no event shall the limitation on the amount of security required be construed as limitation on the liability of the permittee.

The permittee and the surety executing such bond or person issuing such instrument of credit or making such cash deposit shall continue to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred by expended by the County in causing any and all such work to be done. In the case of a cash deposit, any unused portion thereof shall be refunded to the permittee.